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RUEHFR/AMEMBASSY PARIS 2227  
RUEHRB/AMEMBASSY RABAT 1812  
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SUBJECT: GUANTANAMO DETAINEE RETURN STATE OF PLAY

Classified By: Ambassador Robert S. Ford; reasons 1 (b, d).

¶1. (C) SUMMARY AND COMMENT: On June 19, Algeria's major newspaper El Watan ran a story about the April 2007 discussions between the U.S. and Algeria that cited alleged American conditions for the release of Guantanamo detainees. The El Watan story also bitterly criticized the U.S. conditions as an attack of Algeria's sovereignty. The commentary from a newspaper known to have good sources in the security services came on the heels of public remarks by the Algerian foreign minister alluding to the release of Guantanamo detainee Sofiane Haderbach. The delay in Haderbach's return may have trumped a GOA plan to claim that it secured Haderbach's release without conceding to U.S. conditions. What seems clear is that the GOA is using the independent Algerian media to score easy points at the expense of the U.S. We expect the move to complicate the transfer of other prisoners. End Summary and Comment.

¶2. (S) From June 16-18, Ambassador had a series of conversations with presidency and foreign ministry officials concerning the transfer of Haderbach back to Algeria. Presidential aide Nourredine Ayadi informed the Ambassador that the decision to transfer Haderbach was slow-going because it was being deliberated at the highest levels, above Ayadi's boss Presidential Counterterrorism Counselor Kamel Rezag-Bara. (Comment: As best we can tell, only Generals Medienne, Lamari and Lallali at the Directorate of Military Intelligence, and Presidential Advisor Abdelatif Rahal and President Bouteflika are above Rezag-Bara.)

¶3. (C) In a June 16 conversation, taking into account Haderbach's diminished physical and mental condition, Foreign Ministry's Acting Secretary General (Deputy Secretary) Hassane Rabehi told the Ambassador that the GOA

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would accept Haderbach. Rabehi made clear that the GoA had not yet agreed to receive any other Algerian detainees from Guantanamo.

¶4. (C) On the evening of June 17, the Algerians gave verbal permission to accept Haderbach. On the morning of June 18 Rabehi at the MFA refused to return Ambassador's repeated phone calls to caution that Haderbach would not be brought to Algeria after all. The Ambassador informed Ayadi at the Presidency instead midday, and Ayadi stated that he was not unhappy about the delay. On June 18, apparently assuming Haderbach was on a plane headed for Algiers, Foreign Minister Mourad Medelci held a press conference alluding to winning Haderbach's release.

15. (C) On June 19 many newspapers carried stories tracing back to the Medelci press comments. The largest French-language daily, El Watan, published three full pages of commentary on the conditions of Guantanamo detainees under the front-page headline, "I have seen the horror at Guantanamo." The newspaper dedicated two pages to an account by U.S. defense attorney Josh Colangelo-Bryan. Noted Algerian journalist Salima Tlemcani devoted most of page three of the edition to a purported account of the U.S. - Algeria discussions about transferring Algerians from Guantanamo back to Algeria. (Comment: Tlemcani has reliable sources within GOA's security services.) According to Tlemcani, the American conditions are:

- GOA implements procedures so ex-detainees cannot launch terrorist activities.
- GOA shares information on ex-detainees' activities.
- GOA informs the U.S. of all judiciary measures taken against the ex-detainees.
- GOA keeps ex-detainees under daily surveillance.
- GOA confiscates their passports and refuses their applications for new ones.
- GOA places them on a UN terrorist list.
- GOA guarantees that the ex-detainees will not create new terrorist organizations. (Note: This was not included in the original negotiations.)
- GOA has a third party visit them on a monthly basis to verify how they are being treated. (Note: This was also not part of the original negotiations.)

COMMENT

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16. (C) We have officially informed the GOA of the delay in Haderbach's return and the reasons for it. We have detected no sense of unhappiness at all. Meanwhile, the MFA statement and leaks to the Algerian media about the current state of play on returning Guantanamo detainees certainly reflect an effort from within the Algerian security services to score political points domestically by showing that the GOA is standing up to the Americans over Guantanamo. (Very few Algerians outside of government have any sympathy for the American policy on detaining enemy combatants at Guantanamo.)

In addition, the GOA leakers may also be seeking to hamper further negotiations. We also cannot discount the possibility that elements of the government planned to use Haderbach upon his return as a kind of poster-child for victims of U.S. mistreatment. If either hypothesis is valid, future progress on obtaining security guarantees from the GOA will be difficult.

FORD